

Dreyfus, Bethany

From: Keith Takata <keith@keithtakata.com>
Sent: Thursday, February 19, 2015 5:12 PM
To: Manzanilla, Enrique; Lyons, John; Shaffer, Caleb; CHENG, CHRISTINA; thompson, rachel; Dreyfus, Bethany
Subject: Phone Call with Mike Markus

I'd like to arrange a phone call with Mike Markus and his team with some combination of you all. He is free between 11:00 and 4:00 on Monday, February 23rd, but would like to tie down a time asap. It shouldn't take more than 15 minutes. I can give you a preview if you'd like.

Thanks and please let me know what works for you.

Keith

Keith Takata
Takata Environmental LLC
keith@keithtakata.com
650-862-1162
www.keithtakata.com

Dreyfus, Bethany

From: Lyons, John
Sent: Monday, February 16, 2015 1:37 PM
To: Herndon, Roy; Keith Takata
Cc: thompson, rachel; Shaffer, Caleb
Subject: Orange Count North Basin - EPA/OCWD/DTSC Meeting Tomorrow

Roy and Keith,

I am writing to follow up on my phone conversations with Keith over the past two weeks. I appreciate that OCWD's willingness to meet in EPA's San Francisco offices tomorrow. DTSC representatives will be attending as well.

For EPA, the primary purpose of the meeting to discuss OCWD's position on federal EPA involvement in the investigation and cleanup of the Orange County North Basin plume. There are a number of related issues that we would like to also discuss regarding what a federal lead investigation would entail and how it would be conducted.

I am attaching agenda items that EPA would like to discuss below. Time permitting we can discuss any additional matters that OCWD or DTSC would like to raise.

John Lyons
Acting Assistant Director
Site Cleanup Branch
Superfund Division, Region 9
(415) 972-3889

Agenda Items

- A) Update on DTSC, EPA, RWQCB discussions
- B) Implications of EPA as lead agency for the North Basin
- C) RI/FS Scope Issues
- D) PRPs and Enforcement Process
- E) Next Steps and Path Forward

Dreyfus, Bethany

From: Moutoux, Nicole
Sent: Friday, February 06, 2015 9:35 AM
To: Dreyfus, Bethany; Shaffer, Caleb; Lyons, John
Cc: thompson, rachel
Subject: Re: Meeting?

17th is good for me. Just to confirm - the meeting is here in our office right?

Nicole G. Moutoux
Manager, Brownfields and Site Assessment Section
Superfund Division
desk 415-972-3012
mobile 415-271-0701
Moutoux.Nicole@epa.gov

From: Dreyfus, Bethany
Sent: Friday, February 6, 2015 7:15 AM
To: Shaffer, Caleb; Lyons, John
Cc: thompson, rachel; Moutoux, Nicole
Subject: RE: Meeting?

The 17th is now open for me, so 11am or noon are fine.

Bethany Dreyfus
EPA Region IX ORC-3
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3886
(415) 947-3570 (fax)

From: Shaffer, Caleb
Sent: Thursday, February 05, 2015 8:36 PM
To: Lyons, John
Cc: Dreyfus, Bethany; thompson, rachel; Moutoux, Nicole
Subject: Re: Meeting?

Noon on the 17th works for me.

On Feb 5, 2015, at 8:16 PM, Lyons, John <Lyons.John@epa.gov> wrote:

11 does not work for some of you correct? How about noon? Let me know. Thx John

Sent from my iPhone

Begin forwarded message:

From: Keith Takata <keith@keithtakata.com>
Date: February 5, 2015 at 7:11:24 PM PST
To: John Lyons <Lyons.John@epa.gov>
Cc: Caleb Shaffer <Shaffer.Caleb@epa.gov>
Subject: Re: Meeting?

I'm checking with Roy and Scott, but let me explore a couple of alternatives:

1. We can do Tuesday, February 10, at 11:00 am.
2. If the meeting is on Tuesday, February 17, could you move up the time to 11:00 am. The three of us have to attend an OCWD board meeting on February 18.

A Monday call would be very helpful. Anytime after 11:00 am works for me. Please give me a window. Thanks!

Keith

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On Feb 5, 2015, at 6:58 PM, Lyons, John <Lyons.John@epa.gov> wrote:

Keith

EPA would like to meet as we discussed earlier this week. We would propose the afternoon of February 17 at EPA's offices in San Francisco.

I will be out tomorrow - there are a couple of related matters that we should discuss Monday.

Thanks

John

John Lyons
Acting Assistant Director
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(415) 972-3889

-----Original Message-----

From: Keith Takata [<mailto:keith@keithtakata.com>]

Sent: Wednesday, February 04, 2015 7:22 PM

To: Lyons, John

Subject: Re: Meeting?

If we need to meet, Tuesday, February 10th, at 11:00 am would work well for Roy's schedule from Orange County.

Keith Takata

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keith@keithtakata.com

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On Feb 4, 2015, at 5:40 PM, Lyons, John
<Lyons.John@epa.gov> wrote:

Keith

I will be able to let you know tomorrow.

Thanks for your patience,

John

-----Original Message-----

From: Keith Takata [<mailto:keith@keithtakata.com>]

Sent: Wednesday, February 04, 2015 5:39 PM

To: Lyons, John

Subject: Meeting?

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Let's meet on the 17th at 11am at EPA's offices in Sf. We will send an agenda next week and let's plan for a hour and a half.

I will call you Monday

Thanks

John

Sent from my iPhone

> On Feb 5, 2015, at 7:30 PM, "Keith Takata" <keith@keithtakata.com> wrote:

>

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From: Lyons, John
Sent: Thursday, February 05, 2015 8:17 PM
To: Dreyfus, Bethany; thompson, rachel; Shaffer, Caleb
Subject: Fwd: Meeting?

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Dreyfus, Bethany

From: Manzanilla, Enrique
Sent: Monday, February 02, 2015 7:10 PM
To: Dreyfus, Bethany
Subject: Re: OCWD Article

Thanks Bethany

Sent from my iPhone

On Feb 2, 2015, at 6:57 PM, Dreyfus, Bethany <Dreyfus.Bethany@epa.gov> wrote:

Here is a link to Lucy Dunn's January 9th op-ed - <http://www.ocregister.com/articles/water-647622-county-orange.html>

Bethany Dreyfus
EPA Region IX ORC-3
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3886
(415) 947-3570 (fax)

From: Manzanilla, Enrique
Sent: Monday, February 02, 2015 6:41 PM
To: Lyons, John
Cc: thompson, rachelle; Shaffer, Caleb; Dreyfus, Bethany; Moutoux, Nicole
Subject: Re: OCWD Article

Can we track down the Dunn op Ed this one is responding to?

Sent from my iPhone

On Feb 2, 2015, at 6:27 PM, Lyons, John <Lyons.John@epa.gov> wrote:

See below for a letter published in the Orange County Register....

John Lyons
Acting Assistant Director
Site Cleanup Branch
Superfund Division, Region 9
(415) 972-3889

Protecting O.C.'s water

Jan. 30, 2015

BY MIKE MARKUS / Contributing writer

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Ensuring a bright future for Orange County requires many organizations and individuals working together at building and protecting a diverse portfolio of water resources. That is exactly why the Orange County Water District and the Orange County Business Council last year agreed to a collaborative approach to resolve one of the biggest challenges facing our local groundwater basin – a plume of industrial chemicals in the north part of the basin that has polluted 109,000 acre feet of groundwater, an amount equal to one-third of the water used in Orange County in a year.

This agreement – to follow a well-defined federal process that is fair and transparent for the cost-effective removal of contaminants that threaten our local groundwater basin – has not changed. OCWD is doing exactly what OCBC supported: to adopt and follow the National Contingency Plan as the course of action to remove contamination and make responsible parties pay their share of the cleanup costs.

Yet OCBC CEO and President Lucy Dunn, in a recent op-ed, contended that we are not moving forward on the collaborative path that OCBC agreed to. The NCP provides a clear road that her organization asked we follow. One that puts it all out there for the public, regulators and responsible parties to review and scrutinize.

NCP will provide the highest level of investigation. It will provide the proof needed to identify responsible parties for the contamination. They will then need to properly clean up the contamination and/or pay reasonable costs to have regulators clean up onsite pollution and to OCWD to do the same for offsite pollution. It is the best process currently available to remediate the pollution and keep it from spreading further. Equally important, the NCP process also provides the highest level of public and business participation in evaluating options for remediation. The residents and businesses of Orange County, including OCBC, will be given every opportunity to participate. Under the agreement with OCBC, OCWD will actively engage the business community at every step of this process.

The NCP, as recommended and supported by OCBC on multiple occasions, is best known for being the federal plan in responding to hazardous waste emergencies that threaten public health. In the worst cases, after a lengthy process these sites may end up being designated a “superfund” site and are effectively controlled and managed by federal agencies. However, OCWD does not want to have this happen here, nor does it intend to seek superfund designation at this time. As protectors and managers of the local groundwater basin, it’s OCWD’s responsibility to lead the clean-up effort.

Yet, as Ms. Dunn pointed out in her testimony on May 1, 2013, before a Senate Environmental Quality Committee on the matter, “superfund” rules are OCWD’s best option to recover clean-up costs. It was during this same testimony that Ms. Dunn said

the NCP process is OCWD's strongest option to proceed and to collaborate with the business community. The NCP provides a blueprint for local agencies, like OCWD, to follow in developing a remediation and cost recovery plan. This is what OCBC wanted. This is what OCWD is doing.

Ms. Dunn points to an amended contract with legal counsel as a reason for concern. OCWD is not pursuing new litigation, but instead proceeding with the NCP process. If parties responsible for the contamination do not abide by the remediation plan that will come out of the NCP process, regulators and OCWD still reserve the right to seek recovery through the legal system. While we hope it does not come down to that, we will preserve that right in order to protect the ratepayers in the event that should happen.

In the meantime, OCWD has and will look for any reasonable opportunity to secure cost-effective, favorable settlements with responsible parties to help pay for the cleanup. After the NCP process was announced last year, OCWD reached favorable agreement with two responsible parties. Settlement efforts with other parties continue. Does following the NCP process or, ideally, securing cost-saving settlements in advance require OCWD to engage legal expertise? Yes.

Does having a legal team in place mean OCWD is pursuing an aggressive litigation strategy outside the NCP process? No.

From OCWD's perspective, the ultimate clean-up solution remains a collaborative process.

A clean, fully functioning local groundwater basin that can be resupplied from multiple sources is part of our long-term supply strategy. Today, that basin is meeting 72 percent of Orange County's water needs for 2.4 million people.

Decades-old industrial pollution is threatening to put a severe dent in this supply. We've lost five wells to pollution, and we can't afford to lose more. Leaving pollution in the ground is not a solution.

Rather than squabbling over the process – one that OCWD and OCBC already agreed upon – let's get to work on securing Orange County's bright water future.

Mike Markus is general manager of the Orange County Water District.

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Subject: OCWD Article

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John Lyons
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Protecting O.C.'s water

Jan. 30, 2015
|
Updated 4:13 p.m.

BY MIKE MARKUS / Contributing writer

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Mike Markus is general manager of the Orange County Water District.

Dreyfus, Bethany

From: Swickard, Timothy <Timothy.Swickard@lewisbrisbois.com>
Sent: Monday, December 22, 2014 12:15 PM
To: Dreyfus, Bethany
Subject: RE: Orange County North Basin Site Assessment by DTSC
Attachments: removed.txt

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks for your quick response Bethany. Let me know after the 1st what dates are available for you.

Thanks,

Tim

From: Dreyfus, Bethany [mailto:Dreyfus.Bethany@epa.gov]
Sent: Friday, December 19, 2014 4:21 PM
To: Swickard, Timothy
Subject: RE: Orange County North Basin Site Assessment by DTSC

Hi Tim. Things are quieting down around here due to the upcoming holidays, and the folks that I would need to connect with to answer your questions aren't available. I'm off for the remainder of the year, so I'll have to get back to you in the new year about when a meeting can be arranged.

Thank you.

-Bethany

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From: Swickard, Timothy [mailto:Timothy.Swickard@lewisbrisbois.com]
Sent: Friday, December 19, 2014 2:24 PM
To: Dreyfus, Bethany
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I am one of the counsel representing Northrup Grumman, who has sites within the North Basin. It is our understanding that DTSC has submitted their Site Screening Assessment evaluations to USEPA for 11 sites in the North Basin under their grant from you. I spoke with Leslie Ramirez of Region 9 and she indicated that your decisions regarding those sites would be forthcoming in 2015.

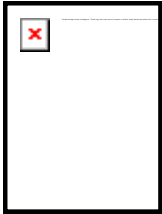
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If OCWD has indeed been giving input as to the listing of these sites, we also would like an opportunity to meet with you to discuss these issues.

Please let me know what days and times after the 1st of the year would be most convenient for you.

Thanks,

Tim



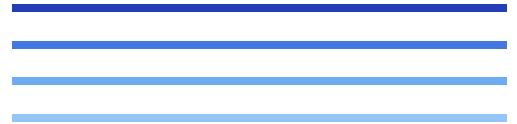
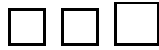
Timothy J. Swickard

Partner

Timothy.Swickard@lewisbrisbois.com

**2850 Gateway Oaks Drive, Suite 450
Sacramento, CA 95833**

T: 916.646.8219 F: 916.564.5444 M: 530.574.6108



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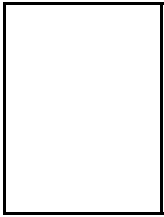
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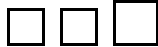
Tim

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Partner
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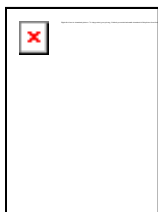
It is also our understanding that OCWD has been meeting with Region 9 staff to recommend that EPA list these sites as NPL sites or that DTSC list them as State Superfund Sites. If any of our information is in error please let me know.

If OCWD has indeed been giving input as to the listing of these sites, we also would like an opportunity to meet with you to discuss these issues.

Please let me know what days and times after the 1st of the year would be most convenient for you.

Thanks,

Tim



Timothy J. Swickard

Partner

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Dreyfus, Bethany

From: Keith Takata <keith@keithtakata.com>
Sent: Saturday, November 01, 2014 8:21 AM
To: Kurt Berchtold;Ann Sturdivant;John Scandura;Emad Yemut;Barbara Cook;Lyons, John;Shaffer, Caleb;thompson, rachelle;Dreyfus, Bethany;Steve Koyasako;Julie Macedo
Cc: Stewart Black;Manzanilla, Enrique;Minor, Dustin
Subject: Sequence of Meetings Leading to Task Force Meeting on November 13th

Follow Up Flag: Follow up
Flag Status: Flagged

As we agreed at yesterday's meeting, the **Orange County North Basin Task Force** will meet on **Thursday, November 13th**. I propose that we start the meeting at **11:00 am**, which will give the Bay Area participants time to travel in the morning. OCWD has graciously offered to provide a working lunch. We'll try to finish the meeting by **2:00 pm**. The Task Force will meet at the offices of the OCWD at **18700 Ward Street, Fountain Valley CA 92708**. Please let me know what you'd like on the agenda by Thursday, November 6th.

One of the major topics at the Task Force meeting will be roles and responsibilities of the OCWD and the state and federal regulatory agencies in North and South Basins. In order to have a productive discussion at the Task Force meeting, we agreed to the following meetings to be held before the Task Force meeting:

- A legal meeting between attorneys of OCWD, DTSC, SWRCB, and EPA. I'd like to ask Steve Koyasako or Julie Macedo to organize this meeting.
- A regulatory agency only meeting between DTSC, RWQCB, and EPA. I'd like to ask Barbara Cook or John Scandura to organize this meeting.

If you have any questions or concerns, please let me know. Thank you all!

Keith

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Dreyfus, Bethany

From: Keith Takata <keith@keithtakata.com>
Sent: Thursday, October 16, 2014 10:16 PM
To: Lyons, John;Minor, Dustin;Shaffer, Caleb;thompson, rachel;Dreyfus, Bethany
Subject: Fwd: Orange County Water District/North Basin

Follow Up Flag: Follow up
Flag Status: Flagged

I thought you might be interested in the attached email. OCWD is meeting with Stewart Black on October 21st and with CalEPA on October 31st.

Hope to see you all soon.

Keith

Keith Takata
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Begin forwarded message:

From: "Scott A. Sommer" <scottsommer@sasrlaw.com>
Subject: Orange County Water District/North Basin
Date: October 16, 2014 at 3:31:58 PM PDT
To: "steve.koyasako@dtsc.ca.gov" <steve.koyasako@dtsc.ca.gov>
Cc: "jmacedo@waterboards.ca.gov" <jmacedo@waterboards.ca.gov>, "ccarrigan@waterboards.ca.gov" <ccarrigan@waterboards.ca.gov>, Keith Takata <keith@keithtakata.com>

Steve- I wanted to put in written form the discussion that you and I had on the concerns about the state acting as lead agency on North Basin. Thank you for your insights and time on this matter. There is a meeting coming up on Tuesday October 21 at Stewart Black's office and the issues we addressed will come up at that time.

As I said, DTSC is currently spending significant state funds on soil remediation onsite at the Chicago Musical Instruments site in North Basin. Orange County Water District (OCWD) is most appreciative of these efforts. It is entirely appropriate that the onsite oversight by DTSC and the Regional Board on several PRP sites in North Basin continue as has occurred in the past. However, notwithstanding the years of state regulatory efforts, nothing has been done, nor is

proposed, for the substantial regional groundwater plume off the Chicago Musical Instruments site, as well as the Northrop Y-12 downgradient plume, and the impacts on beneficial groundwater are very substantial. I will provide more detail on that below, and can get you more information and maps for further review.

Turning to the issue of regional groundwater enforcement and the appropriate lead agency, we are very concerned about the inability of DTSC to use joint and several liability under HSAA and how vulnerable DTSC would be were it to act as lead agency in North Basin. H&S Code 25363 and other provisions do not give the state joint and several enforcement or cost recovery authority. 25363(e) provides that the state fund is susceptible to a separate action for contribution even if DTSC tried to use CERCLA as Barbara Cook once briefly mentioned at our August task force meeting. Note the exposure of the state fund, for example, to a separate action by a major PRP for contribution against the state fund in the event of a clean up order that incorporated the large groundwater plume coming from Chicago Musical Instruments, for example. Note that this risk in the event of proceedings brought by DTSC applies even if the determination is made under “the federal act”, of course CERCLA.

As DTSC does not have joint and several authority and is required to apportion, if DTSC serves as lead agency the state fund would be exposed to a very substantial figure for the necessary regional groundwater remediation from the Chicago Musical Instruments site. Health and Safety Code 25363 provides:

- (a) Except as provided in subdivision (f), **any party found liable for any costs or expenditures recoverable under this chapter who establishes by a preponderance of the evidence that only a portion of those costs or expenditures are attributable to that party's actions, shall be required to pay only for that portion.**
- (b) Except as provided in subdivision (f), if the trier of fact finds the evidence insufficient to establish each party's portion of costs or expenditures under subdivision (a), **the court shall apportion those costs or expenditures**, to the extent practicable, according to equitable principles, among the defendants.
- (c) **The state account shall pay any portion of the judgment in excess of the aggregate amount of costs or expenditures apportioned under subdivisions (a) and (b).**
- (d) The standard of liability for any costs or expenses recoverable pursuant to this chapter is strict liability.
- (e) Any person who has incurred removal or remedial action costs in accordance with this chapter or the federal act may seek contribution or indemnity from any person who is liable pursuant to this chapter, except that no claim may be asserted against a person whose liability has been determined and which has been or is being, fully discharged pursuant to Section 25356.6, or against a person who is actively participating in a pending apportionment proceeding pursuant to Section 25356.6. **An action to enforce a claim may be brought as a cross-complaint by any defendant in an action brought pursuant to Section 25360 or this section, or in a separate action after the person seeking contribution or indemnity has paid removal or remedial action costs in accordance with this chapter or the federal act.** Any plaintiff

or cross complainant seeking contribution or indemnity shall give written notice to the director upon filing an action or cross complaint under this section. In resolving claims for contribution or indemnity, the court may allocate costs among liable parties using those equitable factors which are appropriate. (f) Notwithstanding this chapter, any response action contractor who is found liable for any costs or expenditures recoverable under this chapter and who establishes by a preponderance of the evidence that only a portion of those costs or expenditures are attributable to the response action contractor's actions, shall be required to pay only that portion of the costs or expenditures attributable to the response action contractor's actions.

The problems noted above would not be applicable to EPA potentially negotiating settlements or issuing orders in North Basin pursuant to CERCLA. The inability of the state agencies to address the regional groundwater plume poses a grave risk to the water supply in Orange County. The best solution we see is for EPA to address the regional groundwater plume with support on continuing site enforcement from DTSC and the Regional Board, and with all the assistance OCWD can provide.

As I said, the South Basin plume is also a grave threat to water supply in the southerly portion of the Orange County aquifer. We see the South Basin situation as significantly different and far more appropriate for a DTSC and/or Regional Board lead or co-lead agency role. Given the facts and parties involved there, we think that there is not a risk involving joint and several enforcement of the type present in North Basin. We would very much like to discuss the role of DTSC and the Regional Board on regional groundwater remediation on South Basin as we move forward on North Basin.

Please contact me with any questions or comments.

Law Office of Scott A. Sommer
Professional Corporation
55 Second Street, 21st Floor
San Francisco, CA 94105-3470
Direct: 415-805-7943
Cell: 925-963-1245

-----Original Appointment-----

From: Barnett, Lim@DTSC [<mailto:Lim.Barnett@dtsc.ca.gov>]

Sent: Thursday, October 16, 2014 7:40 AM

To: Black, Stewart@DTSC; Cook, Barbara@DTSC; Scandura, John@DTSC; Keith Takata (takata.keith@gmail.com); mwehner@ocwd.com; dmark@ocwd.com; Scott A. Sommer;rherndon@ocwd.com; mmarkus@ocwd.com; Bolin, David (DBolin@ocwd.com)

Subject: OCWD

When: Tuesday, October 21, 2014 11:30 AM-12:30 PM (UTC-08:00) Pacific Time (US & Canada).

Where: HQ - Conference Room TBA / Conference Line: 866.507.2042 PC 3861812 (Leader: Stewart)

UPDATING: Agenda (below) added – Also, this meeting will be attended in person by some OCWD participants at CalEPA HQ building (room to be announced later)

Requestor: Stewart Black

Participants: Stewart, Barbara and John (DTSC); Keith Takata (consultant); and Mike Wehner, Roy Herndon, Dave Mark, Scott Sommer and Mark Markus (for OCWD)

Purpose of Meeting: This conference call is being set up in lieu of an in-person meeting which needed to be canceled due to illness on October 8

Date/Time/Location: Tuesday, October 21, 11:30 a.m. – 12.30 p.m./ HQ Conference Room TBA
- Conference Line: 866.507.2042 PC 3861812 (Leader: Stewart)

<< File: Agenda OCWD DTSC 10-21-14.docx >>

Dreyfus, Bethany

From: Moutoux, Nicole
Sent: Tuesday, August 12, 2014 4:23 PM
To: Lyons, John;Shaffer, Caleb;Dreyfus, Bethany;thompson, rachelle
Subject: FW: Responses to Listing Questions

FYI

Nicole G. Moutoux
Manager, Site Assessment and Brownfields Section
Superfund Division
(415)972-3012
moutoux.nicole@epa.gov

From: Keith Takata [<mailto:keith@keithtakata.com>]
Sent: Tuesday, August 12, 2014 3:50 PM
To: Moutoux, Nicole
Cc: Mitguard, Matt
Subject: Re: Responses to Listing Questions

Thanks, Nicole. I really appreciate the assistance that you and Matt are providing. I have a couple of clarifications and questions:

1. DTSC is doing site screens on sites that we don't know much about. OCWD would like EPA to do PA/SI on sites that are good candidates for the NPL—where data already exists to show that the site is a serious problem and contributes to the offsite groundwater contamination (e.g. Northrop). As you note, the problem is that DTSC and/or RWQCB have the lead for many of these sites. I understand from talking to John Lyons that if DTSC and/or RWQCB managers support EPA doing PA/SI at these sites, EPA would consider doing so.
2. On the issue of listing individual sites v. listing a regional groundwater area, OCWD is asking a more a more generic question, not an Orange County specific question. We know how PA/SI is done at individual sites, but how is PA/SI done for a regional groundwater area? I don't remember how EPA went about the PA/SI for San Gabriel and San Fernando. John believes that looking at the Federal Register that proposed those sites will help answer the question.

Look forward to seeing you tomorrow!

Keith

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On Aug 12, 2014, at 3:25 PM, Moutoux, Nicole <Moutoux.Nicole@epa.gov> wrote:

<image001.gif>

Hi Keith-

I'm responding on behalf of Matt to the questions you had about the listing process. Looking forward to the meeting tomorrow.

Nicole

1. If EPA were to decide to do PA/SI at North Basin, would EPA do the PA/SI or would DTSC do the PA/SI (or both)?

EPA is responsible for doing PA/SI evaluations.

2. If EPA is looking at individual site listings (like South Gate in LA County), you would do PA/SI at those individual sites. If EPA is looking at regional groundwater listings (like San Gabriel), how would you do the PA/SI? Is it one big PA/SI? Or do you still start with individual site PA/SI? (I forgot what we did at San Gabriel—it has been so long ago.)

In general, EPA does PA/SI work at individual sites. We usually select sites to work on in consultation with DTSC once site screens have been completed. At this point, we are not in a position to comment on how or what type of approach could be appropriate for the orange county plume.

3. What does it take to start doing PA/SI at North Basin? It is too early for a Governor's letter. Do you simply need oral concurrence from a state manager? What do I need to get DTSC do or say for you to start?

A PA/SI can be initiated at any time as a function of a petition or reasonable evidence that there is an "uncontrolled" release to the environment by a given site. In general we would not do a PA or SI at a site that the State is actively working on. The Governor's letter follows the conclusion of both the PA and SI and is generally requested in tandem with EPA producing the HRS Listing Package (which follows the SI). The HRS package utilizes the sampling findings from the SI.

Nicole G. Moutoux
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